

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

RIO TINTO PLC, et al.,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 12/19/19

17cv07994 (AT) (DF)

SCHEDULING ORDER

DEBRA FREEMAN, United States Magistrate Judge:

The above-captioned case having been referred to this Court for general pretrial supervision; and plaintiff Securities and Exchange Commission (the "SEC") having filed a motion to amend the Complaint; and this Court having not yet ruled on that motion; and the SEC having requested that expert discovery proceed at this time with respect to all of the claims that it seeks to include in its proposed Amended Complaint (including claims that have previously been dismissed by the Court), or, alternatively, that expert discovery be stayed pending resolution of the motion to amend; and defendants Rio Tinto PLC, Rio Tinto Limited, Thomas Albanese, and Guy Robert Elliott ("Defendants") having taken the position that expert discovery should proceed, but only as to the claims currently extant in this case; and this Court having considered the parties' positions, as set out in a joint letter to the Court (Dkt. 167); it is hereby ORDERED as follows:

1. At this time, the parties are directed to limit their expert reports to the claims and defenses currently extant in this case.

2. With the limitation set forth in paragraph 1, above, the SEC's opening expert reports shall be served no later than December 20, 2019; Defendants' rebuttal and opening expert

reports shall be served no later than February 7, 2020; and the SEC's rebuttal reports shall be served no later than March 9, 2020.

3. Expert depositions, as well as the submission of summary judgment motions, shall be stayed pending the Court's resolution of the pending motion to amend. If, as a result of the Court's ruling on that motion, new claims are added to the action, then the parties should confer in good faith, at that time, regarding a proposed schedule for the service of supplemental reports, expert depositions, and summary judgment motions, and, within one week of that ruling, should jointly submit such a proposed schedule to this Court for its consideration.

Dated: New York, New York
December 9, 2019

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies to:

All counsel (via ECF)